

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KIM TROTTIER HIRT,

Defendant.

CR 14–10–BLG–DLC

ORDER

United States Magistrate Judge Carolyn S. Ostby entered Findings and Recommendation in this matter on June 5, 2014. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

This Court will review the Findings and Recommendation for clear error.

*McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Ostby recommended this Court accept Kim Trottier Hirt’s guilty plea

after Hirt appeared before her pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to the Superseding Information, which charges the crime of conspiracy to possess with intent to distribute and to distribute methamphetamine in violation of 21 U.S.C. § 846.

I find no clear error in Judge Ostby's Findings and Recommendation (Doc. 37), and I adopt them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS ORDERED that Kim Trottier Hirt's motion to change plea (Doc. 27) is GRANTED and Kim Trottier Hirt is adjudged guilty as charged in the Superseding Information.

DATED this 23<sup>rd</sup> day of June, 2014.



Dana L. Christensen, Chief District Judge  
United States District Court